

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

YOSELLYN ORTIZ,

Defendant.

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CRIMINAL NO. EP-23-CR-2512-KC

BILL OF PARTICULARS FOR FORFEITURE OF PROPERTY

Comes now the United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant United States Attorney, and files the following Bill of Particulars for Forfeiture of Property.

The Indictment (ECF No. 3), returned on December 27, 2023, gave notice that the United States seeks the criminal forfeiture of property pursuant to Title 18 U.S.C. §§ 934(a)(1)(A) and (B), from Defendant YOSELLYN ORTIZ. Specifically, this Bill of Particulars seeks the criminal forfeiture of certain property, which is included herein from the Defendant, for the violations of Title 18 U.S.C. §§ 932(b)(1), (c)(1) and 933(a)(1), (a)(3) and (b), as follows:

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

I.

Trafficking and Straw Purchasing of Firearms Violations and Forfeiture Statutes
[Title 18 U.S.C. §§ 932(b)(1), (c)(1) and 933(a)(1), (a)(3) and (b), subject to forfeiture
pursuant to Title 18 U.S.C. §§ 934(a)(1)(A) and (B)]

As a result of the foregoing criminal violations set forth in Counts One and Two, the United States of America gives notice to Defendant YOSELLYN ORTIZ of its intent to seek the forfeiture

of the property described below upon conviction and pursuant to FED. R. CRIM. P. 32.2, Title 18 U.S.C. § 934(a)(1)(A) and (B), which state:

Title 18 U.S.C. § 934. Forfeiture

(a) Forfeiture.

(1) In General.—Any person convicted of a violation of section 932 or 933 shall forfeit to the United States, irrespective of any provision of State law—

(A) any property, constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and

(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation, except that for any forfeiture of any firearm or ammunition pursuant to this section, section 924(d) shall apply.

This Notice of Demand for Forfeiture includes but is not limited to the property described below in Paragraph II and money judgment described in Paragraph III.

II.
Property

1. Glock Inc. Model 44, .22 caliber pistol with serial number AGXZ397;
2. Glock Inc. Model 48, 9mm pistol with serial number CAML301;
3. Aero Precision, Model G15 Ghost Gun, 5.56 caliber rifle with serial number GHOST00886;
4. Black Rain Ordnance Inc, Model SPEC 15, multi caliber rifle with serial number SM003427;
5. 50 rounds of Barnes Bullets Ammunition CAL:300;
6. 10 rounds of Ammunition CAL:37; and
7. Any and all firearms, ammunition, and/or accessories involved in or used in the commission of the criminal offenses.

III.
Money Judgment

A sum of money that represents the amount of proceeds obtained, directly or indirectly, property involved in such offense, or traceable to such property as a result of the violations set forth in Count One and Two for which Defendant YOSELLYN ORTIZ is solely liable.

Substitute Assets

If any of the above-described forfeitable property, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States to seek forfeiture, pursuant to Title 21 U.S.C. § 853(p), as incorporated by Title 28 U.S.C. § 2461(c), of any other property of said Defendant up to the value of the forfeitable property.

Respectfully submitted,

JAIME ESPARZA
UNITED STATES ATTORNEY

By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2024, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System, which will send notice to the following CM/ECF participants:

Andrew Lafayette Steed
Federal Public Defender
Email: andrew_steed@fd.org
Attorney for Defendant Yosellyn Ortiz

/s/
Patricia J. Acosta
Assistant United States Attorney